



**ARIZONA SUPREME COURT
ORAL ARGUMENT CASE SUMMARY**



**STATE OF ARIZONA v. ISRAEL JOSEPH NARANJO
CR-11-0151-AP**

PARTIES:

Appellant: Israel Joseph Naranjo

Appellee: The State of Arizona

FACTS:

On March 25, 2007, Israel Joseph Naranjo stabbed his girlfriend Delia Rivera twelve times, killing her. Rivera was pregnant at the time, and the fetus died as a result of Rivera's death. Later that same day, Naranjo was arrested and confessed to the murder during a police interview.

The State charged Naranjo with two counts of first degree murder for the killing of Rivera and her unborn child. Rejecting Naranjo's insanity defense, the jury found him guilty on both counts. With regard to Rivera's murder, the jury found two aggravating factors: Naranjo was previously convicted of a serious offense, ARS § 13-751(F)(2), and the murder was especially cruel, ARS § 13-751(F)(6). With regard to the murder of Rivera's child, the jury also found two aggravating factors: Naranjo was previously convicted of a serious offense, and Naranjo was an adult when he killed an unborn child in the womb, ARS § 13-751(F)(9). In the penalty phase, the jury did not find Naranjo's mitigation sufficiently substantial to call for leniency and sentenced him to death on each murder conviction.

ISSUES:

1. Did the trial court improperly strike Juror 36 for cause?
2. Did the trial court err in rejecting certain questions Naranjo proposed for the juror questionnaire?
3. Did the trial court abuse its discretion in precluding Naranjo from calling three expert witnesses, or limiting their testimony, during the guilt and penalty phases?
4. Did the trial court err in finding that Naranjo knowingly and intelligently waived his *Miranda* rights before confessing to the murder?
5. Did fundamental error occur when the State introduced inflammatory other acts evidence?

6. Did the trial court err in finding that the State's mental health expert was qualified to testify regarding Naranjo's intellectual abilities?
7. Did the jury abuse its discretion in finding the (F)(6) aggravator [the murder was especially cruel] proven?
8. Did "systemic problems" in how Maricopa County managed and monitored capital-case contract attorneys violate Naranjo's right to counsel?
9. Is Arizona's death penalty unconstitutional?

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